

REMARKS/ARGUMENTS

The rejections presented in the Office action dated March 31, 2004 have been considered. Claims 1-39 remain pending in the application. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

The undersigned attorney for the Applicant contacted the Examiner by telephone on June 8, 2004 in an attempt to schedule an Examiner interview. The undersigned attorney acknowledged that such an interview is within the Examiner's discretion, but requested the interview as it was believed that such an interview may obviate the need for a response after final rejection or subsequent appeal. The Examiner indicated that the possibility of such an interview would be discussed with the appropriate United States Patent & Trademark Office personnel, and the undersigned attorney would be contacted. No such contact has been established, and the instant response is thus submitted. The Applicant therefore notes that no substantive interview touching the merits of the case was ultimately conducted, and thus no interview summary other than this description is provided by the Applicant.

Paragraphs 2-24 of the final Office action (official paper no. 10; hereinafter referred to as the "final Office action") substantially repeat the rejections provided in paragraphs 2-24 of the first Office action (official paper no. 8; hereinafter referred to as the "first Office action") dated October 22, 2003. The Applicant maintains the position that the currently pending claims are allowable over the cited prior art of record, and respectfully submits that the response to the first Office action appropriately addresses the repeated rejections in paragraphs 2-24.

Paragraphs 25, 26, and 27 of the final Office action address the arguments provided by the Applicant in response to the first Office action. The Applicant respectfully disagrees with and contests the characterization of the Applicant's prior arguments and the rationale for traversing the Applicant's remarks.

In paragraph 26, items (1) and (2) of the final Office action, it is contended that the Applicant argued that *Moles* fails to teach any network service providing a service/application, and that *Moles* fails to teach a "web service." It is respectfully

submitted that this does not accurately characterize the Applicant's prior arguments. For example, with respect to the assertion that the Applicant argued that *Moles* fails to teach a "web service," the Applicant clearly argued that *Moles* fails to teach provisioning via a provisioning Web Service as an interface between the mobile terminal(s) and the network service(s) (see page 12, lines 5-6). The Applicant argued that the Web Service of the present invention involves a network-based modular application(s) that perform a specific task(s) and conform to a particular technical format. The argument went on to describe what is known in the art as "Web Services," and the Applicant's arguments were directed to the failure of *Moles* to teach or otherwise make any mention of a provisioning Web Service interface as set forth in the claims.

The current rationale in the final Office action for finding the Applicant's reasons unpersuasive include an assertion that *Moles* describes that a mobile device can browse web sites on the Internet, transmit and receive graphics, and execute streaming audio and video applications. It is respectfully submitted that this rationale does not establish that *Moles* teaches a provisioning "Web Service," but rather indicates that services may be provided via the World Wide Web. The Applicant maintains that *Moles* fails to teach a provisioning Web Service as claimed.

In paragraph 26, item (3) of the final Office action, the Examiner contends that the Applicant argued that *Moles* fails to teach a provisioning web service that provides a single point of interface to the network service for provisioning the mobile terminal. The Applicant maintains the position that *Moles* fails to teach at least this additional claimed feature. The Examiner indicated that *Moles* teaches a provisioning web service that provides a single point of interface to the network for provisioning the mobile terminal, arguing that *Moles* discloses a wireless service provider (reference 150 of FIG. 1), and argues that this is a single point of interface that provides users with direct access to the IP communications network. It is respectfully submitted that this rationale fails to teach what the claims recite.

More particularly, the single point of interface refers to an interface as seen by the network service. The rationale set forth in the final Office action again, as in the first Office action, inappropriately focuses on an interface between a mobile device and a server. Claim

1, for example, recites that the provisioning Web service provides a single point of interface for the network service for provisioning the mobile terminal, and thus the single point of interface is from the point of view of the network service, not the mobile terminal. As stated in the Applicant's response to the first Office action, a service provider (i.e., a network service) sees the provisioning Web service as a single point of interface in order to provision mobile terminals. It is the network service(s) that sees the Web service as a single point of interface in order to provision the mobile terminal(s). For example, one representative embodiment is described on page 14, lines 9-17 of Applicant's Specification:

The mobile client provisioning Web service 206 serves as an interface for the application(s) 204 to provision the terminal(s) 202. The provisioning Web service 206 provides a single point of interface to the application(s) 204, and manages automatic configuration of the terminals 202, including providing the appropriate configurations to the terminal as well as providing the appropriate applications to the terminal. Thus, in accordance with the invention, the provisioning service 206 provisions the mobile client 202 on behalf of the application 204, resulting in a terminal 202 provisioned to use the service provided by the application 204. (emphasis added)

Thus, the Web service serves as a single point of interface for network services/applications that want to provision mobile devices. In other words, when a network service wants to provision a mobile terminal, it need not locate multiple entities or services, but rather need only make use of the provisioning Web service in order to carry out the desired mobile terminal provisioning. This is not taught by *Moles*, and is not taught by the Examiner's recited portion of *Moles* (reference 150, FIG. 1) regarding a wireless service provider that provides users with direct access to the IP communication network. The IWF 150 of *Moles* referred to in the final Office action is an "interworking function (IWF) that is a component of the wireless network used for translating protocols, and not for provisioning mobile terminals (see *Moles*, column 6, lines 10-27).

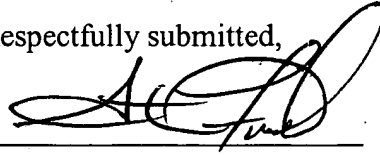
For at least these reasons, the Applicant respectfully traverses the final rejection, as the Applicant contests the characterization of *Moles* and the rationale for finding correspondence between *Moles* and the claimed invention. The Applicant respectfully requests reconsideration and allowance of all pending claims.

If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact him at 651-686-6633 (x110) to discuss any issues related to this case.

Respectfully submitted,

Date: June 30, 2004

By:

A handwritten signature in black ink, appearing to read 'S. Funk', written over a horizontal line.

Steven R. Funk
Reg. No. 37,830
Crawford Maunu PLLC
1270 Northland Drive, Suite 390
St. Paul, Minnesota 55120
(651) 686-6633